

### AMENDMENTS TO THE CLAIMS

1. (Currently Amended) A sheet stack ejecting apparatus comprising:

an ejecting device for carrying and ejecting a sheet stack, the ejecting device holding a sheet stack with two rotating members to carry the sheet stack, wherein the sheet stack continues moving until completely ejected;

an open-close mechanism for switching states of the two rotating members by shifting at least one of the two rotating members to adjust pressing force, the open-close mechanism switching between a contact and pressing state and a ~~pressing force weakened~~ contact-and-pressing free state; and

a controller for controlling the open-close mechanism ~~that makes the two rotating members a contact and pressing state by the open-close mechanism to be in the contact and pressing state~~ when a sheet stack is ejected, and ~~makes the two rotating members a pressing force weakened state to be in the contact-and-pressing free state~~ before a back end of the sheet stack escapes from nips of the two rotating members and to remain in the contact-and-pressing free state until the sheet stack is completely ejected.

2. (Currently Amended) A sheet stack ejecting apparatus according to claim 1, wherein the two rotating members are separated when the open-close mechanism ~~makes the two rotating members a pressing force weakened state~~ controls the two rotating members to be in the contact-and-pressing free state.

3. (Original) A sheet stack ejecting apparatus according to claim 2, wherein the controller determines timing to separate the two rotating members by using at least one of following factors: paper size; number of sheets of paper; thickness of a sheet stack; and weight of a sheet stack.

4. (Currently Amended) A sheet stack ejecting apparatus according to claim 3, wherein the controller separates the two rotating members before a back end of a sheet of paper escapes from nips of the two rotating members only in case the paper size is a predetermined size or smaller.

5. (Currently Amended) A sheet stack ejecting apparatus according to claim 3, wherein the controller separates the two rotating members ~~[[with]]~~ earlier ~~timing~~ as the number of sheets is ~~larger~~ increases.

6. (Currently Amended) A sheet stack ejecting apparatus according to claim 5, wherein the controller separates the two rotating members before a back end of a sheet of paper escapes from nips of the two rotating members only in case number of sheets is a predetermined number or more.

7. (Original) A sheet stack ejecting apparatus according to claim 1, wherein the open-close mechanism comprises:

a moving member that moves along with opening/closing of the two rotating members; and

an elastic member provided between one of the two rotating members and the moving member.

8. (Currently Amended) An image forming apparatus comprising:

an image forming section for forming an image on a sheet of paper;

a processing tray for storing sheets of paper on which images have been formed by the image forming section and making a sheet stack; and

a sheet stack ejecting apparatus for carrying and ejecting a sheet stack taken out from the processing tray, the sheet stack ejecting apparatus holding a sheet stack with two rotating members to carry the sheet stack,

wherein the sheet stack ejecting apparatus comprises:

an ejecting device for carrying and ejecting a sheet stack, the ejecting device holding a sheet stack with two rotating members to carry the sheet stack, wherein the sheet stack continues moving until completely ejected;

an open-close mechanism for switching states of the two rotating members by shifting at least one of the two rotating members to adjust pressing force, the open-close mechanism

switching between a contact and pressing state and a ~~pressing force weakened~~ contact-and-pressing free state; and

a controller for controlling the open-close mechanism that ~~[[makes]]~~ controls the two rotating members to be in the ~~[[a]]~~ contact and pressing state by the open-close mechanism when a sheet stack is ejected, and ~~[[makes]]~~ controls the two rotating members to be in the ~~a pressing force weakened~~ the contact-and-pressing free state before a back end of the sheet stack escapes from nips of the two rotating members and to remain in the contact-and-pressing free state until the sheet stack is completely ejected.

9. (Currently Amended) An image forming apparatus according to claim 8, wherein the two rotating members are separated when the open-close mechanism ~~makes the two rotating members a pressing force weakened state~~ controls the two rotating members to be in the contact-and-pressing free state.

10. (Original) An image forming apparatus according to claim 9, wherein the controller determines timing to separate the two rotating members by using at least one of following factors: paper size; number of sheets of paper; thickness of a sheet stack; and weight of a sheet stack.

11. (Currently Amended) An image forming apparatus according to claim 10, wherein the controller separates the two rotating members before a back end of a sheet of paper escapes from nips of the two rotating members only in case the paper size is a predetermined size or smaller.

12. (Original) An image forming apparatus according to claim 10, wherein the controller separates the two rotating members ~~[[with]]~~ earlier ~~timing~~ as the number of sheets ~~is larger~~ increases.

13. (Currently Amended) An image forming apparatus according to claim 12, wherein the controller separates the two rotating members before a back end of a sheet of paper escapes from

nips of the two rotating members only in case the number of sheets is predetermined number or more.

14. (Currently Amended) A sheet stack processing apparatus comprising:

a processing tray for storing plural sheets of paper in order and making a sheet stack;

an ejecting device for carrying and ejecting a sheet stack piled on the processing tray, the ejecting device holding a sheet stack with two rotating members to carry the sheet stack, wherein the sheet stack continues moving until completely ejected;

a stack processing device for conducting stack processing to a sheet stack piled on the processing tray before the sheet stack is ejected by the ejecting device;

an open-close mechanism for switching states of the two rotating members by shifting at least one of the two rotating members to adjust pressing force, the open-close mechanism switching between a contact and pressing state and a ~~pressing-force-weakened~~ contact-and-pressing free state; and

a controller for controlling the open-close mechanism that ~~[[makes]]~~ controls the two rotating members to be in the ~~[[a]]~~ contact and pressing state by the open-close mechanism when a sheet stack is ejected, and ~~[[makes]]~~ controls the two rotating members ~~a pressing-force-weakened~~ to be in the contact-and-pressing free state before a back end of the sheet stack escapes from nips of the two rotating members and to remain in the contact-and-pressing free state until the sheet stack is completely ejected.

15. (Currently Amended) A sheet stack processing apparatus according to claim 14, wherein the two rotating members are separated when the open-close mechanism ~~[[makes]]~~ controls the two rotating members ~~a pressing-force-weakened~~ to be in the contact-and-pressing free state.

16. (Original) A sheet stack processing apparatus according to claim 15, wherein the controller determines timing to separate the two rotating members by using at least one of following factors: paper size; number of sheets of paper; thickness of a sheet stack; and weight of a sheet stack.

17. (Currently Amended) A sheet stack processing apparatus according to claim 16, wherein the controller separates the two rotating members before a back end of a sheet of paper escapes from nips of the two rotating members only in case the paper size is a predetermined size or smaller.

18. (Currently Amended) A sheet stack processing apparatus according to claim 16, wherein the controller separates the two rotating members [[with]] earlier ~~timing~~ as the number of sheets is ~~larger~~ increases.

19. (Currently Amended) A sheet stack processing apparatus according to claim 18, wherein the controller separates the two rotating members before a back end of a sheet of paper escapes from nips of the two rotating members only in case the number of sheets is predetermined number or more.

20. (Original) A sheet stack processing apparatus according to claim 14, wherein the stack processing device staples a sheet stack.